

55146-148

6 / 17 / 2014

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7504P)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

55146-148

Date of Issuance:

NOTICE OF PESTICIDE:

[X] Registration
[] Reregistration
(under FIFRA, as amended)

Term of Issuance:
Conditional

Name of Pesticide Product:
NUP-13009

Name and Address of Registrant (include ZIP Code):

Nufarm Americas, Inc.
4020 Aerial Center Parkway, Suite 101
Morrisville, NC 27560

Attn.: Nathan P. Ehresman

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)7(A), provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA section 3(c)7(A) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.

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Signature of Approving Official:

[Handwritten signature: Tony Kish]

Tony Kish, Product Manager, Team 22
Fungicide Branch, Registration Division (7505P)

Date:

JUN 17 2014

Make the following change to the label:

- a. Change the product registration number to "EPA Reg. No. 55146-148".
2. Submit one copy of the revised final printed label before the product is released for shipment.
3. The following terms of registration must be submitted to the Agency prior to formulation of this product:
 - a. The registration number and establishment number of the manufacturing or technical product from which this product is derived.
 - b. The name and address of the entity from which the registered manufacturing/technical product was obtained, and
 - c. A copy of the bill of sale for the registered manufacturing or technical product used in this product."

If these terms of registration are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A copy of the label (version 6-17-14) stamped "Accepted" is enclosed for your records.

4. The basic CSF dated March 10, 2014 is approved.

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NUP-13009

A seed treatment for control of diseases (barley, canola, cotton, oats, rye, sweet corn, wheat, and triticale).

ACTIVE INGREDIENT:

Difenoconazole* 33.3%

OTHER INGREDIENTS:

..... 66.7%

TOTAL:

..... 100.0%

*CAS No. 119446-68-3

Contains 3.09 pounds difenoconazole per gallon.

KEEP OUT OF REACH OF CHILDREN

CAUTION / PRECAUTION

See inside label booklet for **FIRST AID** and **PRECAUTIONARY STATEMENTS**

For Chemical Spill, Leak, Fire, or Exposure, Call **CHEMTREC (800) 424-9300**
For Medical Emergencies Only, Call **(877) 325-1840**

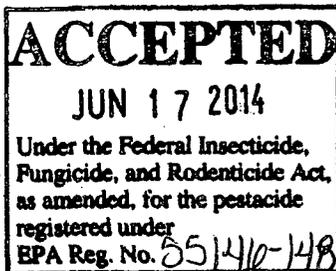
FIRST AID

If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.

EPA REG. NO. 55146-RUI
EPA EST. NO. _____



MANUFACTURED FOR
NUFARM AMERICAS INC.
AGT DIVISION
11901 S. Austin Avenue
ALSIP, IL 60803



Net Contents: _____ gallons (_____ liters)

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PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION / PRECAUCION

Harmful if swallowed, absorbed through the skin, or inhaled. Avoid contact with skin, eyes, or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks,

Note: Persons involved in bagging treated seed, sewing or moving bags of treated seed, or cleaning up bagging areas or seed treatment equipment are pesticide handlers and must wear the PPE required on this label for pesticide handlers.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

DO NOT apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. **DO NOT** contaminate water by disposing of equipment washwater.

PHYSICAL AND CHEMICAL HAZARDS

Please do not store or heat near oxidizing agents, hazardous chemical reaction may occur.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

DO NOT apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

For use by commercial seed treaters only in liquid or slurry treaters. Not for use on agricultural establishments in hopper-box, planter-box, slurry-box or other seed treatment applications at or immediately before planting.

Mix thoroughly before use or use entire container at one time. All tank mixes should be pre-tested to determine physical compatibility between formulations. Observe the most restrictive use precautions and limitations on labeling of the products used in mixtures.

NOTE: The purchaser of this product is responsible for ensuring that all seed treated with this product is adequately dyed with a suitable colorant that imparts an unnatural color, to prevent its accidental use as food for man or feed for animals. Refer to 21 CFR, Part 2.25. Any dye or colorant added to treated seed must be cleared for use under 40 CFR, Part 180.900. Federal regulations have established official tolerances for certain pesticide residues. In order that residues on food and forage crops will not exceed established tolerances, use only at specified rates.

Treated seed must not be used for or mixed with food or animal feed or processed for oil. Seed commercially treated with this product must be labeled in accordance with all applicable requirements of the Federal Seed Act.

SEED LABELING

THE FEDERAL SEED ACT REQUIRES THAT BAGS CONTAINING TREATED SEED MUST BE LABELED AS FOLLOWS:

*"This seed has been treated with difenoconazole seed treatment fungicide. **DO NOT** use for food, feed, or oil processing. Store away from feeds and other foodstuffs."*

*"**DO NOT** allow children, pets or livestock to have access to treated seeds."*

"Wear long pants, long-sleeved shirt, shoes, socks, and chemical-resistant gloves when opening this bag or loading/pouring the treated seed."

*"After the seeds have been planted, do not enter or allow worker entry into treated areas during the **restricted-entry interval (REI) of 12 hours**. Exception: If the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated. PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water is: coveralls, chemical-resistant gloves made of any waterproof material, and chemical-resistant footwear. "*

"Green wheat, oats, rye or triticale forage may not be grazed until 55 days after planting."

"Green barley forage may not be grazed until 30 days after planting."

"Do not plant any crop other than those on this label within 30 days to fields in which treated seeds were planted."

Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed and, (2) no measurable residues remain in ethanol by-products that are used in agronomic practice."

PRODUCT INFORMATION

Apply as a seed treatment using standard slurry or mist-type seed treatment equipment. Uniform application to seed is necessary to ensure seed safety and best disease protection. Seed must be sound and well cured prior to treatment. Product must be diluted with sufficient water to ensure complete seed coverage. Consult a seed treatment specialist regarding slurry rates for the crop to be treated with this product.

When used in combination with other fungicides having a similar biological spectrum, this product will add to the systemic protection of the seed and seedling and improve control under high disease pressure.

MIXTURES: Prior to blending with other seed treatments confirm physical compatibility, seed safety, seed safety in stored seed, and biological efficacy before tank mixing with other seed treatment products. Follow the label directions for the most restrictive of label precautions and limitations.

The following table lists the maximum recommended total slurry volumes by crop.

Crop	Maximum Fl. Oz. Slurry / 100 lbs. of Seed
Wheat, Oats, Rye and Barley	16
Canola	23
Sweet Corn	8 to 16
Cotton	30

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BARLEY	
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Barley Stripe General Seed Rots (caused by saprophytic fungi such as <i>Penicillium</i> spp. and <i>Aspergillus</i> spp.) Covered Smut Pythium Damping Off Common Root Rot (<i>Cochliobolus</i> spp.) ¹ Fusarium Seed Scab ¹ Rhizoctonia Root Rot ¹	0.5
Barley Stripe General Seed Rots (caused by saprophytic fungi such as <i>Penicillium</i> spp. and <i>Aspergillus</i> spp.) Fusarium Seed Scab Covered Smut Pythium Damping Off Take-all ¹ Common Root Rot (<i>Cochliobolus</i> spp.) ¹ Fusarium Root Rot ¹ Fusarium Crown Rot ¹ Rhizoctonia Root Rot ¹	1.0
REMARKS	
¹ Partial control / suppression only: erratic control from good to poor, or control below that which is generally considered acceptable for commercial disease control.	

CANOLA	
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Seed-borne Blackleg (<i>Leptosphaeria maculens</i>)	1.0
REMARKS	
Tank mix NUP-13009 with seed treatment SPIRATO 480 FS for broad spectrum protection against other diseases such as Fusarium and Rhizoctonia.	

COTTON	
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Preemergent and Postemergent damping off caused by <i>Rhizoctonia</i> spp. and <i>Fusarium</i> spp.	0.5 to 1.45
REMARKS	
Use higher rates where disease is expected to be severe. Apply in combination with SEBRING 318 FS or SEBRING 480 FS for activity against seed and seedling diseases cause by Pythium spp. Follow application and other instructions found on the SEBRING 318 FS or SEBRING 480 FS product label.	

SWEET CORN	
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Die-back caused by <i>Penicillium</i> spp., <i>Fusarium</i> spp., and <i>Aspergillus</i> spp.	0.5 – 1.24
REMARKS	
Confirm compatibility, seed safety, seed safety in stored seed, and biological efficacy before tank mixing with other seed treatment products.	

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WINTER WHEAT and TRITICALE	
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Common Bunt ¹ Dwarf Bunt Flag Smut Seed-borne Septoria Loose Smut General Seed Rots ² Fusarium Seed Scab	0.5
Early Season Disease Control Common Root Rot (<i>Cochliobolus</i> spp.) Rhizoctonia Root Rot	
Common Bunt ¹ Dwarf Bunt Loose Smut Flag Smut Seed-borne Septoria General Seed Rots ² Fusarium Seed Scab	1.0
Early Season Disease Control Common Root Rot (<i>Cochliobolus</i> spp.) Fusarium Root Rot Fusarium Crown Rot Take-all Rhizoctonia Root Rot	
Fall Season Foliar Disease Control³ Fall Season Powdery Mildew Fall Season Leaf Rust Fall Season Septoria Leaf Blotch	
REMARKS	
¹ NUP-13009 controls both seed-borne and soil-borne common bunt. ² General seed rots controlled include those cause by saprophytic fungi such as <i>Penicillium</i> spp. and <i>Aspergillus</i> spp. ³ NUP-13009 provides control of fall season powdery mildew, fall season leaf rust, and fall season Septoria leaf blotch in winter wheat for the first 6 weeks after planting. For full season control of these foliar diseases, use a propiconazole fungicide labeled for this use.	

SPRING WHEAT and TRITICALE	
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Common Bunt ¹ Seed-borne Septoria Loose Smut Flag Smut General Seed Rots ² Fusarium Seed Scab	0.5
Early Season Disease Control Common Root Rot (<i>Cochliobolus</i> spp.) Rhizoctonia Root Rot	
Common Bunt ¹ Loose Smut Flag Smut Seed-borne Septoria General Seed Rots ² Fusarium Seed Scab	1.0
Early Season Disease Control Common Root Rot (<i>Cochliobolus</i> spp.)	

Fusarium Root Rot Fusarium Crown Rot Take-all Rhizoctonia Root Rot	
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REMARKS

¹ NUP-13009 controls both seed-borne and soil-borne common bunt.
² General seed rots controlled include those cause by saprophytic fungi such as *Penicillium* spp. and *Aspergillus* spp.

OATS

DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
General Seed Rots ¹ Seedling Blight caused by seed- and soil-borne <i>Fusarium</i> and soil-borne <i>Pythium</i> Seedling Root Rot caused by seed- and soil-borne <i>Fusarium</i> and soil-borne <i>Pythium</i> <i>Pythium</i> and <i>Fusarium</i> Damping-Off Covered Smut Loose Smut Common Root Rot (<i>Cochliobolus</i> spp.) ²	0.5 – 1.0

REMARKS

¹ General seed rots controlled include those cause by saprophytic fungi such as *Penicillium* spp. and *Aspergillus* spp.
² Suppression only (control at a level below optimum but still of commercial benefit).

RYE

DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
General Seed Rots ¹ Seedling Blight caused by seed- and soil-borne <i>Fusarium</i> and soil-borne <i>Pythium</i> Seedling Root Rot caused by seed- and soil-borne <i>Fusarium</i> and soil-borne <i>Pythium</i> Seed-borne <i>Septoria</i> <i>Pythium</i> and <i>Fusarium</i> Damping-Off Common Bunt Dwarf Bunt Common Root Rot (<i>Cochliobolus</i> spp.) ² Fusarium Crown and Foot Rot ² Take-All ²	0.5 – 1.0

REMARKS

¹ General seed rots controlled include those cause by saprophytic fungi such as *Penicillium* spp. and *Aspergillus* spp.
² Suppression only (control at a level below optimum but still of commercial benefit).

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

PESTICIDE STORAGE: Store in original container in a dry, temperature controlled, secure place.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be used according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER HANDLING:

[[Note to Reviewer: The following statement will be included on all Final Printed Labels bearing multiple Container Handling statements] **"NOTE:** This product is available in multiple containers. Refer to the Net Contents section of this product's labeling for the applicable "Nonrefillable" or "Refillable" designation. Follow the container handling instructions below that apply to your container type / size."**]**

[Nonrefillable Containers 5 Gallons or Less]

Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

[Nonrefillable containers larger than 5 gallons]

Nonrefillable container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure-rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

[Refillable containers]

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

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WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV061714)

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LABEL HISTORY

FILE NAME	REVISION MARK	COMMENT
055146-00xxx.20131017.NUP-13009_Draft	RV101713	DRAFT SECTION 3 LABEL
055146-00RUI.20140617.NUP-13009_Draft	RV061714	REVISED VERSION PRIOR TO APPROVAL